

Listing of Claims:

The following listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

Claims 1-5 (canceled)

6. (Previously Amended) A confectionary product comprising two outer wafer layers wherein the wafer layers are formed from a batter material which comprises: from 36 to 39% by weight flour; from 0.6 to 0.9% by weight salt; from 1.5 to 1.8% by weight vegetable oil; from 0.2 to 0.3% by weight Lecithin; from 0.05 to 0.07% by weight sodium bicarbonate; from 2 to 10% by weight cocoa powder; and from 54 to 58% by weight water.

7. (Canceled)

8. (Previously Amended) The confectionary product of claim 6, wherein the wafer layers include 2 to 8% by weight cocoa powder.

9. (Previously Amended) The confectionary product of claim 8, wherein the wafer layers include 3 to 6% by weight cocoa powder.

10. (Original) The confectionary product of claim 6, wherein the confectionary product includes cream filling between the wafer layers.

Amendment dated January 11, 2007

Response to Office Action of October 11, 2006

11. (Original) The confectionary product of claim 6, wherein the confectionary product is enrobed with chocolate.

12. (Previously Amended) A method for producing a wafer comprising blending a wafer batter with from 2 to 10% by weight cocoa powder to a viscosity as measured in a Ford cup like viscosimeter to a flow out time of at least 39 seconds at a temperature of 18 to 20°C .

13. (Previously Amended) The method of claim 12, wherein the wafer batter comprises:

from 36 to 39% by weight flour;

from 0.6 to 0.9% by weight salt;

from 1.5 to 1.8% by weight vegetable oil;

from 0.2 to 0.3% by weight Lecithin;

from 0.05 to 0.07% by weight sodium bicarbonate;

from 2 to 10% by weight cocoa powder; and

from 54 to 58% by weight water.

14. (Original) The method of claim 13, wherein the wafer batter includes 2 to 8% by weight cocoa powder.

15. (Original) The method of claim 14, wherein the wafer batter includes 3 to 6% by weight cocoa powder.

16. (Previously Amended) A method for producing a confectionary product comprising:

blending a wafer batter with from 2 to 10% by weight cocoa powder;

baking the wafer batter to form a wafer; and

stacking the wafers together with a filling between the wafers.

17. (Previously Amended) The method of claim 16, wherein the wafer batter comprises:

from 36 to 39% by weight flour;
from 0.6 to 0.9% by weight salt;
from 1.5 to 1.8% by weight vegetable oil;
from 0.2 to 0.3% by weight Lecithin;
from 0.05 to 0.07% by weight sodium bicarbonate;
from 2 to 10% by weight cocoa powder; and
from 54 to 58% by weight water.

18. (Original) The method of claim 17, wherein the wafer batter includes 2 to 8% by weight cocoa powder.

19. (Original) The method of claim 18, wherein the wafer batter includes 3 to 6% by weight cocoa powder.

20. (Original) The method of claim 16, wherein the confectionary product is enrobed with chocolate.

21. (Previously Presented) The confectionary product of claim 6, wherein the confectionary product has a length of about 90 mm to about 92 mm, a width of about 30 mm, and a height of about 21 mm.

22. (Previously Presented) The confectionary product of claim 6, wherein the confectionary product has one or more inner wafer layers and cream fillings between the wafer layers.

23. (Previously Presented) The confectionary product of claim 22, wherein the confectionary product has 6 or 7 wafer layers and correspondingly 5 or 6 cream filling layers.